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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/584,223

05/17/2007

Junko Suginaka

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EXAMINER

CRANFORD, MICHAEL D

ART UNIT

PAPER NUMBER

3696

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01/21/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/584,223	Applicant(s) SUGINAKA, JUNKO	
	Examiner MICHAEL D. CRANFORD	Art Unit 3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/23/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/23/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/10/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the arguments/remarks filed on 23 September 2009.
2. Claims 1-8 are currently pending and have been examined.

Response to Arguments

Examiner finds Applicant's argument convincing and chooses to use the reference Norris (US 6,105,007 - herein referred to as Norris) as the prior art of reference. Examiner respectfully maintains rejections based on the information provided below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 4-6 and 8 are rejected under 35 U.S.C. 102(b) as being unpatentable over Norris (US 6,105,007 - herein referred to as Norris).

5. **Claim 1:**

Norris shown, discloses the following limitations:

- *information storage means for storing personal information and electronic money information* (see at least column 8 lines 24-41)
- *short-distance communication means for making short-distance communications in a noncontact manner* (see at least column 3 lines 10-27)

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- *pair relationship establishment means for receiving a pair relationship establishment request signal from a mobile terminal by said short-distance communication means and transmitting personal identification information to said mobile terminal by said short-distance communication means (see at least column 2 lines 37-48)*
- *information providing control means for receiving electronic money information from a financial institution terminal by said short-distance communication means to be deposited with electronic money and transmitting said electronic money information by said short-distance communication means to a mobile terminal with which said pair relationship has been established to make the mobile terminal pay with electronic money (see at least column 2 lines 37-48)*

6. Claim 2:

Norris shown, discloses the following limitations:

- *information providing control means receives an electronic money increase request signal of a predetermined designated amount of money from said mobile terminal by said short-distance communication means (see at least column 16 lines 65-66)*
- *transmits an electronic money increase signal of said designated amount of money to a mobile terminal by said short-distance communication means (see at least column 2 lines 37-48)*

7. Claim 4:

Norris shown, discloses the following limitations:

- *short-distance communication means for making short-distance communications in a noncontact manner (see at least column 3 lines 10-27)*
- *pair registration means for transmitting a pair relationship establishment request signal to a personal information storage device by said short-distance communication means, receiving personal identification information from said personal information storage device by said short-distance communication means, and registering said personal*

information storage device as having a pair relationship (see at least column 2 lines 37-48)

- *user setting means for setting and storing personal information including electronic money information by receiving it by said short-distance communication means from said personal information storage device registered as having the pair relationship (see at least column 2 lines 37-48)*
- *use permission means for transmitting a use permission request signal to a personal information storage device set as having the pair relationship by said short-distance communication means, receiving a use permission signal from said personal information storage device by said short-distance communication means, and making this mobile terminal available to pay with electronic money (see at least column 2 lines 37-48)*

8. Claim 5:

Norris shown, discloses the following limitations:

- *electronic money increase means for designating a predetermined amount of money and transmits an electronic money increase request signal by said short-distance communication means to a personal information storage device set as having a pair relationship, receiving an electronic money increase signal of said designated amount of money from said personal information storage device by said short-distance communication means and stores it (see at least column 16 lines 65-66)*

9. Claim 6:

Norris shown, discloses the following limitations:

- *pair registration means transmits a pair relationship establishment request signal addressed to an arbitrary personal information storage device, and said use permission means transmits a use permission request signal addressed to a specific personal information storage device (see at least column 2 lines 37-48)*

10. Claim 8:

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The combination of Felsher and Guheen et al. discloses the following limitations:

- *pair registration means transmits a pair relationship establishment request signal addressed to an arbitrary personal information storage device, and said use permission means transmits a use permission request signal addressed to a specific personal information storage device* (see at least column 2 lines 37-48)

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris (US 6,105,007 - herein referred to as Norris) in view **Official Notice**.

13. **Claim 3:**

Norris does not expressly disclose ***personal information storage device is integrated with something that a user wears***.

In a similar field of endeavor, Lazerson does disclose a method and an apparatus for processing financial transactions automatically, including loan applications for credit, establishment of accounts and other transactions that typically take place at banks (Norris, see at column 1 lines 17-21).

However, the Examiner takes Official Notice that it is old and well known in the banking and financing arts ***personal information storage device is integrated with something that a user wears***. It would have been obvious to one skilled in the art at the time of invention to modify

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Norris's automatic financial account processing system because this provides information needed to process transactions.

14. Claim 7:

Norris does not expressly disclose ***personal information storage device is integrated with something that a user wears.***

In a similar field of endeavor, Lazerson does disclose a method and an apparatus for processing financial transactions automatically, including loan applications for credit, establishment of accounts and other transactions that typically take place at banks (Norris, see at column 1 lines 17-21).

However, the Examiner takes Official Notice that it is old and well known in the banking and financing arts ***personal information storage device is integrated with something that a user wears.*** It would have been obvious to one skilled in the art at the time of invention to modify Norris's automatic financial account processing system because this provides information needed to process transactions.

CONCLUSION

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Michael D. Cranford** whose telephone number is **571-270-3106**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Hani Kazimi** can be reached at **571-272-6745**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark**

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401 Dulany Street
Alexandria, VA 22314.

/ Michael Cranford / Examiner / Art Unit 3696 /
January 15, 2010

/Charles R. Kyle/
Supervisory Patent Examiner, Art Unit 3695

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